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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

CYRUS S. WHITTAKER, individually on  
behalf of himself,

Plaintiff,

v.

SMILEDIRECTCLUB, LLC; ZACHARY  
POTTS, D.D.S.; MICHAEL GUIRGUIS,  
D.D.S.; DOES 1 through 10; and ROE  
ENTITIES 11 through 20, inclusive,

Defendants.

CASE NO.: 2:21-cv-01019-RFB-BNW

**STIPULATION TO EXTEND OPPOSITION  
DEADLINE (FIFTH REQUEST) FOR  
MOTION TO DISMISS DEFENDANTS  
ZACHARY POTTS, D.D.S. AND MICHAEL  
GUIRGUIS, D.D.S. FOR LACK OF  
PERSONAL JURISDICTION  
AND [PROPOSED] ORDER**

Plaintiff Cyrus Whittaker and Defendants SmileDirectClub, LLC; Zachary Potts, D.D.S.;  
Michael Guirguis, D.D.S, by and through their undersigned counsel, hereby stipulate as follows:

1. Plaintiff's Opposition to Defendants' Motion to Dismiss Defendants Zachary Potts, D.D.S. and Michael Guirguis, D.D.S. for Lack of Personal Jurisdiction was initially due June 18, 2021.
2. On June 16, 2021, Plaintiff and Defendants agreed (via stipulation) to extend the deadline for Plaintiff's Opposition to Defendants' Motion to Dismiss Defendants Zachary Potts, D.D.S. and Michael Guirguis, D.D.S. for Lack of Personal Jurisdiction

1 from June 18, 2021 to June 28, 2021. On June 23, 2021, Plaintiff and Defendants  
2 further agreed (via stipulation) to extend the deadline for Opposition to Defendants'  
3 Motion to Dismiss Defendants Zachary Potts, D.D.S. and Michael Guirguis, D.D.S.  
4 for Lack of Personal Jurisdiction to July 6, 2021. Plaintiff and Defendants further  
5 agreed (via stipulation) to extend the deadline for Opposition to Defendants' Motion  
6 to Dismiss Defendants Zachary Potts, D.D.S. and Michael Guirguis, D.D.S. for Lack  
7 of Personal Jurisdiction to July 12, 2021. Plaintiff and Defendants further agreed (via  
8 stipulation) to extend the deadline for Opposition to Defendants' Motion to Dismiss  
9 Defendants Zachary Potts, D.D.S. and Michael Guirguis, D.D.S. for Lack of Personal  
10 Jurisdiction to August 16, 2021. These requests were previously granted by the Court.

- 11 3. Now, Plaintiff and Defendants have further agreed, due to continuing preliminary  
12 work together on this case in regard to anticipated resolution, to extend the deadline  
13 for Opposition to Defendants' Motion to Dismiss Defendants Zachary Potts, D.D.S.  
14 and Michael Guirguis, D.D.S. for Lack of Personal Jurisdiction to September 7, 2021.

15 Based on the foregoing, with good cause appearing, Plaintiff and Defendants stipulate as  
16 follows:

- 17 1. The deadline for Plaintiff's Opposition to the Defendants' Motion to Dismiss  
18 Defendants Zachary Potts, D.D.S. and Michael Guirguis, D.D.S. for Lack of Personal  
19 Jurisdiction is continued to September 7, 2021.

20 **IT IS SO STIPULATED.**

1 DATED: August 13, 2021

**PLAINTIFF, IN PRO PER**

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3 By: /s/ Cyrus Whittaker  
CYRUS S. WHITTAKER (PLAINTIFF)  
4 Nevada Bar No. 14965  
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5 Telephone: 725.696.9635  
Fax: 310.300.1426  
6

7 DATED: August 13, 2021

**HALL PRANGLE & SCHOONVELD, LLC**


8  
9 By: /s/ Tyson Dobbs  
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12 *Attorneys for Defendants*  
*SmileDirectClub, LLC, Zachary Potts, D.D.S.*  
13 *and Michael Guirguis, D.D.S.*  
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**ORDER**

The Court, having considered the stipulation between the Plaintiff and Defendants and with good cause appearing, hereby orders as follows:

1. The deadline for Plaintiff's Opposition to the Defendants' Motion to Dismiss Defendants Zachary Potts, D.D.S. and Michael Guirguis, D.D.S. for Lack of Personal Jurisdiction is continued to September 7, 2021.

**IT IS SO ORDERED.**

  
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RICHARD E. BOULWARE, II  
United States District Judge  
DATED this 16th of August, 2021